

95TH CONGRESS
1ST SESSION

H. R. 7555

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1977

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1978, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the Depart-
5 ments of Labor, and Health, Education, and Welfare, and
6 related agencies for the fiscal year ending September 30,
7 1978, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF LABOR

2 EMPLOYMENT AND TRAINING ADMINISTRATION

3 PROGRAM ADMINISTRATION

4 For expenses of administering employment and training
5 programs, \$90,832,000, together with not to exceed \$33,-
6 634,000 which may be expended from the Employment
7 Security Administration account in the Unemployment Trust
8 Fund, and of which \$5,941,000 shall be for carrying into
9 effect the provisions of 38 U.S.C. 2001-2003.

10 EMPLOYMENT AND TRAINING ASSISTANCE

11 For expenses necessary to carry into effect the Com-
12 prehensive Employment and Training Act of 1973, as
13 amended, and sections 326 and 328 of the Trade Expansion
14 Act of 1962 (19 U.S.C. 1951 and 1961) and sections 236,
15 237, and 238 of the Trade Act of 1974 (19 U.S.C. 2101),
16 ~~(1)\$3,237,930,000,~~ \$3,619,930,000, plus reimbursements,
17 to remain available until September 30, 1979: *Provided,*
18 That this appropriation shall be available for the purchase
19 and hire of passenger motor vehicles, and for construction,
20 alteration, and repair of buildings and other facilities and for
21 the purchase of real property for training centers as author-
22 ized by the Comprehensive Employment and Training Act
23 of 1973, as amended (29 U.S.C. 801 et seq.).

1 COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

2 To carry out title IX of the Older Americans Act, as
3 amended, ~~(2)\$180,400,000~~ \$200,000,000, of which ~~(3)~~
4 ~~\$144,400,000~~ \$100,000,000 shall be for section 906 (a) (1).

5 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

6 For payments during the current fiscal year of benefits
7 and allowances to unemployed Federal employees and ex-
8 servicemen, as authorized by title 5, chapter 85 of the
9 United States Code, of trade adjustment benefit payments
10 and allowances, as provided by law (19 U.S.C. 1941-1944
11 and 1952; part I, subchapter B, chapter 2, title II of the
12 Trade Act of 1974), and of unemployment assistance as au-
13 thorized by title II of the Emergency Jobs and Unem-
14 ployment Assistance Act of 1974, as amended, and for re-
15 imbursements as authorized by Section 121 of P.L. 94-566,
16 \$1,200,000,000 together with such amounts as may be neces-
17 sary to be charged to the subsequent appropriation for pay-
18 ments for any period subsequent to September 15 of the cur-
19 rent year: *Provided*, That, in addition, there shall be trans-
20 ferred from the Postal Service Fund to this appropriation
21 such sums as the Secretary of Labor determines to be the cost
22 of benefits for ex-Postal Service employees: *Provided fur-*
23 *ther*, That amounts received during the current fiscal year

1 from the Postal Service or recovered from the States pursuant
 2 to 5 U.S.C. 8505 (d) shall be available for such payments
 3 during the year.

4 GRANTS TO STATES FOR UNEMPLOYMENT INSURANCE AND
 5 EMPLOYMENT SERVICES

6 For grants for activities authorized by the Act of June 6,
 7 1933, as amended (29 U.S.C. 49-49n; 39 U.S.C. 3202 (a)
 8 (1) (E) ; Veterans' Employment and Readjustment Act
 9 of 1972, as amended (38 U.S.C. 2001-2013) ; title III of
 10 the Social Security Act, as amended (42 U.S.C. 501-503) ;
 11 sections 312 (e) and (g) of the Comprehensive Employ-
 12 ment and Training Act of 1973, as amended; and necessary
 13 administrative expenses for carrying out 5 U.S.C. 8501-
 14 8523, 19 U.S.C. 1941-1944, 1952, and chapter 2, title II,
 15 of the Trade Act of 1974, including, upon the request of any
 16 State, the payment of rental for space made available to
 17 such State in lieu of grants for such purpose, \$53,600,000,
 18 together with not to exceed ~~(4)\$1,529,000,000~~ \$1,549,000,-
 19 000, which may be expended from the Employment Security
 20 Administration account in the Unemployment Trust Fund,
 21 and of which \$174,400,000 shall be available only to the
 22 extent necessary to meet increased costs of administration
 23 resulting from changes in a State law or increases in the
 24 number of unemployment insurance claims filed and claims
 25 paid or increased salary costs resulting from changes in

1 State salary compensation plans embracing employees of
2 the State generally over those upon which the State's basic
3 grant was based, which cannot be provided for by normal
4 budgetary adjustments: *Provided*, That any portion of the
5 funds granted to a State in the current fiscal year and
6 not obligated by the State in that year shall be returned
7 to the Treasury and credited to the account from which
8 derived.

9 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
10 OTHER FUNDS

11 Funds provided under this head in the Departments of
12 Labor and Health, Education, and Welfare Appropriation
13 Act, 1977, shall be available for the payment of advances to
14 the Unemployment Trust Fund for emergency compensation
15 as authorized by section 104 of the Emergency Unemploy-
16 ment Compensation Act of 1974, as amended.

17 LABOR-MANAGEMENT SERVICES ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Labor-Management Serv-
20 ices Administration, \$55,961,000.

21 PENSION BENEFIT GUARANTY CORPORATION

22 The Pension Benefit Guaranty Corporation is authorized
23 to make such expenditures within limits of funds and borrow-
24 ing authority available to such corporation, and in accord
25 with law, and to make such contracts and commitments with-

1 out regard to fiscal year limitations as provided by section
2 104 of the Government Corporation Control Act, as amended
3 (31 U.S.C. 849), as may be necessary in carrying out the
4 program through September 30, 1978 for such corporation.

5 EMPLOYMENT STANDARDS ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses for the Employment Standards
8 Administration, including reimbursement to State, Federal,
9 and local agencies and their employees for inspection serv-
10 ices rendered, (5) ~~\$108,780,000~~ \$112,280,000, together
11 with \$265,000 which may be expended from the Special
12 Fund in accordance with sections 39 (c) and 44 (j) of the
13 Longshoremen's and Harbor Workers' Compensation Act.

14 SPECIAL BENEFITS

15 For the payment of compensation, benefits, and ex-
16 penses (except administrative expenses) accruing during
17 the current or any prior fiscal year authorized by title IV
18 of the Federal Coal Mine Health and Safety Act of 1969,
19 as amended, and title V, chapter 81 of the United States
20 Code; continuation of benefits as provided for under the head
21 "Civilian War Benefits" in the Federal Security Agency
22 Appropriation Act, 1947; the Employees' Compensation
23 Commission Appropriation Act, 1944; and sections 4 (c)
24 and 5 (f) of the War Claims Act of 1948 (50 U.S.C. App.
25 2012) ; and fifty per centum of the additional compensation

1 and benefits required by section 10 (h) of the Longshore-
2 men's and Harbor Workers' Compensation Act, as amended,
3 \$319,360,000, together with such amount as may be neces-
4 sary to be charged to the subsequent year appropriation for
5 the payment of compensation and other benefits for any
6 period subsequent to September 15 of the current year:
7 *Provided*, That in addition there shall be transferred from
8 the Postal Service fund to this appropriation such sums as
9 the Secretary of Labor determines to be the cost of adminis-
10 tration for Postal Service employees through September 30,
11 1978.

12 Whenever the Secretary of Labor finds it will promote
13 the achievement of the above activities, qualified persons
14 may be appointed to conduct hearings thereunder without
15 meeting the requirements for hearing examiners appointed
16 under 5 U.S.C. 3105: *Provided*, That no person shall hold
17 a hearing in any case with which that person has been con-
18 cerned previously in the administration of such activities.

19 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
20 SALARIES AND EXPENSES

21 For necessary expenses for the Occupational Safety and
22 Health Administration, \$136,640,000, of which not to ex-
23 ceed \$9,000,000 shall be available for reimbursement to
24 States under section 7 (c) (1) of the Occupational Safety
25 and Health Act of 1970 (29 U.S.C. 656 (c) (1)) for the

1 furnishing of consultation services to employers under sec-
2 tion 21 (c) of such Act (29 U.S.C. 670 (c)) : *Provided,*
3 That none of the funds appropriated under this paragraph
4 shall be obligated or expended for the assessment of civil
5 penalties issued for first instance violations of any standard,
6 rule, or regulation promulgated under the Occupational
7 Safety and Health Act of 1970 (other than serious, willful,
8 or repeated violations under section 17 of the Act) resulting
9 from the inspection of any establishment or workplace sub-
10 ject to the Act, unless (6)(1) such establishment or work-
11 place is cited, on the basis of such inspection, for 10 or more
12 violations(7) and (2) the Administration consulted with the
13 violator on possible actions to correct the violations as soon as
14 possible after the initial discovery of the violations and the
15 violations have not been corrected within a reasonable time, as
16 determined by the Administrator: *Provided further,* That
17 none of the funds appropriated under this paragraph shall be
18 obligated or expended to prescribe, issue, administer, or en-
19 force any standard, rule, regulation, or order under the Occu-
20 pational Safety and Health Act of 1970 which is applicable
21 to any person who is engaged in a farming operation and
22 employs 10 or fewer employees(8): *Provided further,* That
23 none of the funds appropriated or otherwise made available
24 in this paragraph may be obligated or otherwise expended to

1 promulgate regulations, excepting those complying with Ex-
 2 ecutive Order No. 11949.

3 BUREAU OF LABOR STATISTICS

4 SALARIES AND EXPENSES

5 For necessary expenses for the Bureau of Labor Statis-
 6 tics, including advances or reimbursements to State, Federal,
 7 and local agencies and their employees for services rendered,
 8 ~~(9)~~\$80,857,000 \$84,032,000, of which \$3,600,000 shall be
 9 for expenses of revising the Consumer Price Index, including
 10 salaries of temporary personnel assigned to this project with-
 11 out regard to competitive civil service requirements.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 For necessary expenses for departmental management
 15 and \$1,432,000 for the President's Committee on Employ-
 16 ment of the Handicapped, \$60,257,000, together with not
 17 to exceed \$1,562,000 to be derived from the Employment
 18 Security Administration account, Unemployment Trust Fund.

19 SPECIAL FOREIGN CURRENCY PROGRAM

20 For payments in foreign currencies which the Treasury
 21 Department determines to be excess to the normal require-
 22 ments of the United States, for necessary expenses of the
 23 Department of Labor, as authorized by law, \$70,000, to
 24 remain available until expended: *Provided*, That this ap-

1 appropriation shall be available, in addition to other approprias-
2 tions to such agency for payments in the foregoing currencies.

3 GENERAL PROVISIONS

4 SEC. 101. Appropriations in this Act available for
5 salaries and expenses shall be available for supplies, services,
6 and rental of conference space within the District of Co-
7 lumbia, as the Secretary of Labor shall deem necessary for
8 settlement of labor-management disputes.

9 SEC. 102. None of the funds appropriated by this title
10 may be used by the Department of Labor to carry out any
11 activity for or on behalf of any individual who is an alien
12 in the United States in violation of the Immigration and
13 Nationality Act or any other law, convention, or treaty
14 of the United States relating to the immigration, exclusion,
15 deportation, or expulsion of aliens.

16 This title may be cited as the "Department of Labor
17 Appropriation Act, 1978".

18 TITLE II—DEPARTMENT OF HEALTH,
19 EDUCATION, AND WELFARE

20 HEALTH SERVICES ADMINISTRATION

21 HEALTH SERVICES

22 For carrying out titles III, V, X, XI, XII, and XIII
23 of the Public Health Service Act, the Act of August 8, 1946
24 (5 U.S.C. 7901), section 1 of the Act of July 19, 1963
25 (42 U.S.C. 253a), section 108 of Public Law 93-353, title

1 VI of Public Law 94-63, as amended, and titles V and XI of
 2 the Social Security Act, ~~(10)\$1,187,571,500~~ \$1,387,046,000
 3 of which ~~(11)\$1,200,000~~ \$2,200,000 shall be available only
 4 for payments to the State of Hawaii for care and treatment of
 5 persons afflicted with ~~(12)leprosy:~~ *leprosy*, and \$60,000,-
 6 000, *to remain available until expended, shall be for construc-*
 7 *tion and renovation of Public Health Service hospitals and*
 8 *clinics: Provided, That funds contained herein for carrying*
 9 *out section 1304 (k) (2) of the Public Health Service Act*
 10 *which are unobligated on September 30, 1978 shall remain*
 11 *available through September 30, 1979: Provided further,*
 12 *That any amounts received by the Secretary in connection*
 13 *with loans and loan guarantees under title XIII and any*
 14 *other property or assets derived by him from his operations*
 15 *respecting such loans and loan guarantees, including any*
 16 *money derived from the sale of assets, shall be available to*
 17 *the Secretary without fiscal year limitation for direct loans*
 18 *and loan guarantees, as authorized by said title XIII, in*
 19 *addition to funds specifically appropriated for that purpose:*
 20 *Provided further, That this appropriation shall be available*
 21 *for payment of the costs of medical care, related expenses,*
 22 *and burial expenses, hereafter incurred, by or on behalf of*
 23 *any person who has participated in the study of untreated*
 24 *syphilis initiated in Tuskegee, Alabama, in 1932, in such*
 25 *amounts and subject to such terms and conditions as pre-*

1 scribed by the Secretary of Health, Education, and Welfare,
 2 and for payment, in such amounts and subject to such terms
 3 and conditions, of such costs and expenses hereafter incurred
 4 by or on behalf of such person's wife or offspring determined
 5 by the Secretary to have suffered injury or disease from
 6 syphilis contracted from such person: *Provided further*, That
 7 when the Health Services Administration operates an em-
 8 ployee health program for any Federal department or
 9 agency, payment for the estimated cost shall be made by
 10 way of reimbursement or in advance to this appropriation:
 11 *Provided further*, That in addition, \$34,934,000 may be
 12 transferred to this appropriation as authorized by section
 13 201 (g) (1) of the Social Security Act, from any one or all
 14 of the trust funds referred to therein.

15 CENTER FOR DISEASE CONTROL

16 PREVENTIVE HEALTH SERVICES

17 To carry out title III of the Public Health Service Act,
 18 title XVII of the Public Health Service Act, the Lead-Based
 19 Paint Poisoning Prevention Act, the Federal Coal Mine
 20 Health and Safety Act of 1969, and the Occupational Safety
 21 and Health Act of 1970; including insurance of official motor
 22 vehicles in foreign countries; and purchase, hire, mainte-
 23 nance, and operation of aircraft, ~~(13)\$209,426,000~~ \$210,-
 24 255,000: *Provided*, That training of employees of private
 25 agencies shall be made subject to reimbursement or advances
 26 to this appropriation for the full cost of such training.

1 NATIONAL INSTITUTES OF HEALTH

2 NATIONAL CANCER INSTITUTE

3 For carrying out, to the extent not otherwise provided,
 4 title IV of the Public Health Service Act with respect to
 5 cancer, (14)~~\$831,936,000~~ \$920,000,000.

6 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

7 For expenses, not otherwise provided for, necessary
 8 to carry out titles IV and XI of the Public Health Service
 9 Act with respect to heart, lung, blood vessel, and blood
 10 disease, (15)~~\$432,642,000~~ \$456,000,000.

11 NATIONAL INSTITUTE OF DENTAL RESEARCH

12 For expenses, not otherwise provided for, to carry out
 13 title IV of the Public Health Service Act with respect to
 14 dental diseases, (16)~~\$58,981,000~~ \$63,000,000.

15 NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM, AND
 16 DIGESTIVE DISEASES

17 For expenses necessary to carry out title IV of the
 18 Public Health Service Act with respect to arthritis, rheuma-
 19 tism, metabolic diseases, and digestive diseases, (17)~~\$237,-~~
 20 ~~461,000~~ \$273,000,000.

21 NATIONAL INSTITUTE OF NEUROLOGICAL AND
 22 COMMUNICATIVE DISORDERS AND STROKE

23 For expenses necessary to carry out, to the extent not
 24 otherwise provided, title IV of the Public Health Service
 25 Act with respect to neurological and communicative dis-
 26 orders and stroke, (18)~~\$175,000,000~~ \$179,000,000.

1 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
2 DISEASES

3 For expenses, not otherwise provided for, to carry out title
4 IV of the Public Health Service Act with respect to allergy
5 and infectious diseases, ~~(19)~~~~\$157,042,000~~ *\$162,000,000.* -

6 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

7 For expenses, not otherwise provided for, necessary
8 to carry out title IV of the Public Health Service Act with
9 respect to general medical sciences, ~~(20)\$225,396,000~~
10 *\$235,000,000.*

11 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
12 DEVELOPMENT

13 To carry out, except as otherwise provided, titles IV
14 and X of the Public Health Service Act with respect to child
15 health and human development, ~~(21) \$162,761,000~~ *\$167,-*
16 *000,000.*

17 NATIONAL INSTITUTE ON AGING

18 To carry out, except as otherwise provided, title IV
19 of the Public Health Service Act with respect to aging,
20 ~~(22) \$39,000,000~~ *\$35,000,000*.

21 NATIONAL EYE INSTITUTE

For expenses necessary to carry out title IV of the Public Health Service Act, with respect to eye diseases and visual disorders, ~~(23)\$85,000,000~~ *\$74,952,000*.

1 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
2 SCIENCES

3 To carry out, except as otherwise provided, sections
4 301, 311, and 472 of the Public Health Service Act with
5 respect to environmental health sciences, ~~(24)~~\$63,600,000
6 \$58,000,000.

7 RESEARCH RESOURCES

8 To carry out, except as otherwise provided, sections
9 301 and 472 of the Public Health Service Act with respect
10 to research resources and general research support grants,
11 \$144,947,000: *Provided*, That none of these funds shall be
12 used to pay recipients of the general research support grants
13 programs any amount for indirect expenses in connection
14 with such grants.

15 JOHN E. FOGARTY INTERNATIONAL CENTER FOR
16 ADVANCED STUDY IN THE HEALTH SCIENCES

17 For the John E. Fogarty International Center for
18 Advanced Study in the Health Sciences, \$8,369,000, of
19 which not to exceed \$1,400,000 shall be available for pay-
20 ment to the Gorgas Memorial Institute for maintenance and
21 operation of the Gorgas Memorial Laboratory.

22 NATIONAL LIBRARY OF MEDICINE

23 To carry out, to the extent not otherwise provided for,
24 section 301 with respect to health information communica-

1 tions and parts I and J of title III of the Public Health
2 Service Act, \$36,746,000.

3 BUILDINGS AND FACILITIES

4 For construction of, and acquisition of sites and equip-
5 ment for, facilities of or used by the National Institutes of
6 Health, where not otherwise provided, \$65,650,000 to
7 remain available until expended.

8 OFFICE OF THE DIRECTOR

9 For expenses necessary for the Office of the Director,
10 National Institutes of Health, \$17,871,000.

11 ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

12 ADMINISTRATION

13 ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

14 For carrying out the Public Health Service Act with
15 respect to mental health, the Community Mental Health Cen-
16 ters Act, as amended (42 U.S.C. 2681, et seq.), the Com-
17 prehensive Alcohol Abuse and Alcoholism Prevention,
18 Treatment, and Rehabilitation Act of 1970, as amended, the
19 Narcotic Addict Rehabilitation Act of 1966, and the Drug
20 Abuse Office and Treatment Act of 1972, as amended,
21 ~~(25)\$931,020,000~~ \$947,745,000, of which \$350,000 for
22 modernization and improvement of intramural research facili-
23 ties is to remain available until expended: *Provided*, That
24 allotments to each State under section 302 of the Compre-
25 hensive Alcohol Abuse and Alcoholism Prevention, Treat-

1 ment, and Rehabilitation Act shall not be less than the
2 allotments made to such States in fiscal year 1977.

3 SAINT ELIZABETHS HOSPITAL

4 For expenses necessary for the maintenance and opera-
5 tion of the hospital, including clothing for patients, and
6 cooperation with organizations or individuals in scientific
7 research into the nature, causes, prevention, and treatment
8 of mental illness, \$68,746,000, or such amounts as may
9 be necessary to provide a total appropriation equal to the
10 difference between the amount of the reimbursements re-
11 ceived during the current fiscal year on account of patient
12 care provided by the hospital during such year and
13 \$90,170,000.

14 CONSTRUCTION AND RENOVATION, SAINT ELIZABETHS

15 HOSPITAL

16 For construction, alterations, extension, and equipment
17 of buildings and facilities on the grounds of Saint Elizabeths
18 Hospital, \$2,010,000, to remain available until expended.

19 HEALTH RESOURCES ADMINISTRATION

20 HEALTH RESOURCES

21 For carrying out titles III, VII, VIII, ~~(26)~~ and XV
22 XV, and XVI and section 472 of the Public Health Service
23 Act, section 1122 of the Social Security Act and section 222
24 of the Social Security Amendments of 1972, ~~(27)~~\$754,119,-
25 ~~000~~ \$793,091,000, of which ~~(28)~~\$1,000,000 \$1,750,000

1 shall remain available until expended for carrying out section
 2 305 (b) (3) of the Public Health Service Act, without regard
 3 to the requirements of section 308 of said Act, \$2,000,000
 4 shall remain available until expended for loan guarantees and
 5 interest subsidies under Part B of title VII, and ~~(29)\$5,000,-~~
 6 ~~000~~ \$8,500,000 shall remain available until expended for
 7 grants under ~~(30)section~~ sections 720 (a) (1) ~~(31)of title~~
 8 ~~VII~~ and 801: *Provided, That funds appropriated under this*
 9 *head in Public Law 94-303 for carrying out title IX of the*
 10 *Public Health Service Act shall be available for carrying out*
 11 *the purposes of section 314(b) of the Public Health Service*
 12 *Act under the same terms and conditions as contained in Pub-*
 13 *lic Law 94-303.*

14 ~~(32)~~Any payment made pursuant to the paragraph entitled
 15 "Health Resources" under chapter VII of the Act
 16 entitled "An Act making supplemental appropriations
 17 for the fiscal year ending September 30, 1977, and for other
 18 purposes", approved May 4, 1977 (Public Law 95-26),
 19 to the Tuskegee Institute, Tuskegee, Alabama, for construc-
 20 tion assistance for its school of veterinary medicine may be
 21 made without regard to the requirements of section 722(a)
 22 (1) of the Public Health Service Act, relating to the Federal
 23 share of the grants authorized pursuant to section 720(a)
 24 (1) of that Act.

1 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

2 For carrying out title XVI of the Public Health Service
3 Act, \$41,000,000 shall be available without fiscal year limi-
4 tation for the payment of interest subsidies. The total prin-
5 cipal amount of loans to be guaranteed or directly made,
6 which may be allotted among the States, pursuant to titles
7 VI and XVI of the Public Health Service Act shall not
8 exceed a cumulative amount of \$1,750,000,000.

9 PAYMENT OF SALES INSUFFICIENCIES AND

10 INTEREST LOSSES

11 For the payment of such insufficiencies as may be re-
12 quired by the trustee on account of outstanding beneficial
13 interest or participations in the Health Professions Educa-
14 tion Fund assets or Nurse Training Fund assets, authorized
15 by the Department of Health, Education, and Welfare
16 Appropriation Act, 1968, to be issued pursuant to section
17 302 (c) of the Federal National Mortgage Association
18 Charter Act, \$111,000, and for payment of amounts pur-
19 suant to section 744 (b) or 827 (b) of the Public Health
20 Service Act to schools which borrow any sums from the
21 Health Professions Education Fund or Nurse Training
22 Fund, \$2,481,000: *Provided*, That the amounts appropri-
23 ated herein shall remain available until expended.

HEALTH EDUCATION LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Health Professions Education Fund and the Nurse Training Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year.

ASSISTANT SECRETARY FOR HEALTH

SALARIES AND EXPENSES

For expenses necessary for the Office of the Assistant Secretary for Health (33) *and for carrying out title XVII of the Public Health Service Act, (34)* ~~\$23,178,000~~ \$25,678,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR

COMMISSIONED OFFICERS

For retired pay of commissioned officers, as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan; Survivor Benefit Plan and payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amounts as may be required during the current fiscal year.

1 SCIENTIFIC ACTIVITIES OVERSEAS (SPECIAL FOREIGN

2 CURRENCY PROGRAM)

3 For payments in foreign currencies which the Treasury
4 Department determines to be excess to the normal require-
5 ments of the United States, for necessary expenses for con-
6 ducting scientific activities overseas, as authorized by law,
7 \$11,387,000, to remain available until expended: *Provided*,
8 That this appropriation shall be available in addition to other
9 appropriations for such activities, for payments in the fore-
10 going currencies.

11 EDUCATION DIVISION

12 OFFICE OF EDUCATION

13 ELEMENTARY AND SECONDARY EDUCATION

14 For carrying out, to the extent not otherwise provided,
15 title I, part A (\$2,733,750,000), title IV, part C (35)
16 ~~(\$186,000,000)~~ (\$194,000,000), title VII (\$135,000,-
17 000), and title IX of the Elementary and Secondary
18 Education Act; title VII of the Education Amendments
19 of 1974; the Environmental Education Act (\$3,500,000);
20 section 417 (a) (2) of the General Education Provisions
21 Act; the Communications Act of 1934, as amended; the
22 Alcohol and Drug Abuse Education Act; part B of the
23 Headstart-Follow Through Act (\$59,000,000); and Public
24 Law 92-506, as amended, (36)\$3,165,550,000 \$3,181,-
25 050,000, of which (37)\$15,000,000 \$22,500,000 for edu-

1 cational broadcasting facilities shall remain available until
 2 expended, including \$1,000,000 for carrying out section
 3 392A of the Communications Act of 1934, as amended:
 4 *Provided*, That of the amounts appropriated above the fol-
 5 lowing amounts shall become available for obligation on
 6 July 1, 1978, and shall remain available until September 30,
 7 1979: title I, part A (\$2,733,750,000), title IV, part C
 8 ~~(38)~~~~(186,000,000)~~ ~~(\$194,000,000)~~ of the Elementary and
 9 Secondary Education Act and section 417 (a) (2) of the Gen-
 10 eral Education Provisions Act (\$1,250,000) : *Provided fur-*
 11 *ther*, That all amounts appropriated in Public Law 94-439 to
 12 carry out title IV of the Elementary and Secondary Educa-
 13 tion Act for fiscal year 1978 shall be made available for ob-
 14 ligation in July 1, 1977. For carrying out title IV of the
 15 Elementary and Secondary Education Act an additional
 16 ~~(39)~~~~\$8,000,000~~ \$7,000,000 to become available for obliga-
 17 tion on July 1, 1978, and to remain available until Septem-
 18 ber 30, 1979: *Provided*, That none of such funds may be
 19 paid to any State for which the allocation for fiscal year 1979
 20 exceeds the allocation for comparable purposes for fiscal year
 21 1978.

22 SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

23 For carrying out title I of the Act of September 30,
 24 1950, as amended (20 U.S.C., ch. 13), \$770,000,000
 25 of which \$57,700,000 shall be for payments under section 6,

1 and \$712,300,000 shall be for payments under sections 2 and
 2 3 in accordance with subsection 5 (c) (1) and (2) of said
 3 Act.

4 For carrying out the Act of September 23, 1950, as
 5 amended (20 U.S.C., ch. 19), ~~(40)\$30,000,000~~ \$50,000,-
 6 000, which shall remain available until expended, shall be for
 7 providing school facilities as authorized by said Act: *Pro-*
 8 *vided*, That with the exception of up to ~~(41)\$10,500,000~~ \$30,-
 9 500,000 for section 10 and up to \$5,000,000 for section 9,
 10 none of the funds contained herein for providing school
 11 facilities shall be available to pay for any other section of
 12 the Act of September 23, 1950, until payment has been
 13 made of 100 per centum of the amounts payable under
 14 section 5 and subsections 14(a) and 14(b): *Provided*
 15 *further*, That, of the funds provided herein for carrying
 16 out the Act of September 23, 1950, no more than \$4,000,-
 17 000 may be used to fund section 5 of said Act: *Provided*
 18 *further*, That, notwithstanding section ~~421A~~ (c) (2) (A)
 19 of the General Education Provisions Act, the Commissioner
 20 of Education is authorized to approve applications for funds
 21 to increase school facilities in communities located near the
 22 Trident Support Site, Bangor, Washington, on such terms
 23 and conditions as he may reasonably require without re-
 24 gard to any provision in law.

1

EMERGENCY SCHOOL AID

2

For carrying out title IV of the Civil Rights Act of
 1964 and the Emergency School Aid Act, ~~(42)\$294,700,000~~
~~\$323,950,000~~, of which ~~(43)\$48,250,000~~ ~~\$55,000,000~~ shall
 be for section 708 (a), ~~(44)\$7,500,000~~ ~~\$30,000,000~~ shall be
 for section 704 (d), and \$137,600,000 shall be for section
 706 (a) of the Emergency School Aid Act.

8

EDUCATION FOR THE HANDICAPPED

9

For carrying out, to the extent not otherwise provided,
 the Education of the Handicapped Act, as amended by Pub-
 lic Law 94-142, except for section 607, ~~(45)\$619,925,000~~
~~\$643,425,000~~, of which \$3,000,000 shall be available until
 expended for carrying out the programs of section 625:
Provided, That of this amount, ~~(46)\$465,000,000~~ ~~\$485,-~~
~~000,000~~ for part B and ~~(47)\$12,500,000~~ ~~\$15,000,000~~ for
 section 619 shall become available for obligation on July 1,
 1978, and shall remain available until September 30, 1979:
Provided further, That funds appropriated under this head
 in Public Law 94-439 for carrying out part B of the Edu-
 cation of the Handicapped Act shall remain available for
 obligation until September 30, 1979.

22

OCCUPATIONAL, VOCATIONAL, AND ADULT EDUCATION

23

For carrying out part A, subparts 2, 3, 4, 5, and sec-
 tion 105, and part B, subparts 2 and 3 of the Vocational
 Education Act of 1963, as amended, and the Adult Edu-

1 cation Act of 1966, \$725,750,000 of which \$28,307,000
 2 for Part B, subpart 2 shall remain available until expended:
 3 *Provided*, That the amounts appropriated above shall become
 4 available for obligation on July 1, 1978, and shall remain
 5 available until September 30, ~~(48)1979~~ 1979, unless
 6 otherwise specified herein.

7 HIGHER EDUCATION

8 For carrying out title I-A (\$18,000,000), title III
 9 (\$120,000,000), title IV, title VIII (\$15,000,000), title IX
 10 ~~(49)(\$12,750,000)~~ (\$9,500,000), ~~(50)title XI (\$1,000-~~
 11 ~~000)~~, section 420 (\$23,750,000), section 745 (\$4,000,000),
 12 and section 1203 (\$3,500,000) of the Higher Education Act;
 13 section 421 of the General Education Provisions Act; the
 14 Mutual Educational and Cultural Exchange Act of 1961
 15 (\$3,000,000); section 22 of the Act of June 29, 1935
 16 (\$11,500,000); ~~(51)section 525 of the Education Amend-~~
 17 ~~ments of 1976 (\$500,000)~~; and title VI of the National Defense
 18 Education Act (\$15,000,000), ~~(52)\$3,738,003,000 \$3,503,-~~
 19 ~~253,000~~ of which ~~(53)\$326,660,000 \$325,660,000~~ shall be
 20 for part E, ~~(54)\$125,000,000 \$100,000,000~~ shall be for part
 21 A-4, ~~(55)and \$5,000,000~~ shall be for part A-5 of title IV of
 22 the Higher Education Act: *Provided*, That \$270,093,000 for
 23 supplemental educational opportunity grants and \$63,750,000
 24 for incentive grants shall remain available through Septem-
 25 ber 30, 1979, ~~(56)\$420,000,000 \$450,000,000~~ for work study

1 grants shall remain available through September 30, 1980,
 2 pursuant to sections 442 (d) and 446 (b) of the Higher Edu-
 3 cation Act, and ~~(57)\$2,300,000,000~~ \$2,070,000,000 shall
 4 be for basic opportunity grants (including not to exceed \$20,-
 5 000,000 for administrative expenses) of which ~~(58)\$2,280,-~~
 6 ~~000,000~~ \$2,050,000,000 shall remain available through
 7 September 30, 1979: *Provided further, That amounts ap-*
 8 *propriated for basic opportunity grants shall first be available*
 9 *to meet any insufficiencies in entitlements resulting from the*
 10 *payment schedule for basic opportunity grants published by*
 11 *the Commissioner of Education during the prior fiscal year:*
 12 *Provided further, That amounts appropriated herein for*
 13 *basic opportunity grants which exceed the amounts required*
 14 *to meet the payment schedule published for any fiscal year*
 15 *by 15 per centum or less pursuant to section 411 (b) (4)*
 16 *(A) of the Higher Education Act shall be carried forward*
 17 *into the next fiscal year(59):* *Provided further, That such*
 18 *funds are appropriated notwithstanding the provisions of section*
 19 *1208(a)(1) of the Higher Education Act: Provided fur-*
 20 *ther, That amounts appropriated under this head in Public*
 21 *Law 95-26 for supplemental educational opportunity*
 22 *grants shall remain available through September 30, 1978.*

23

LIBRARY RESOURCES

24 For carrying out, to the extent not otherwise pro-
 25 vided, titles I (\$56,900,000) and III (\$3,337,000) of the

1 Library Services and Construction Act (20 U.S.C., ch. 16) ;
 2 titles II and VI-A of the Higher Education Act; ~~(60)~~title
 3 ~~III, part D of Public Law 94-482 (20 U.S.C. 2531); and~~
 4 title IV, part B ~~(61)~~~~(\$160,000,000)~~ (180,000,000) of the
 5 Elementary and Secondary Education Act, ~~(62)~~~~\$246,712,-~~
 6 ~~000~~ \$267,712,000: *Provided*, That the amount appropriated
 7 above for title IV, part B of the Elementary and Secondary
 8 Education Act shall become available for obligation on
 9 July 1, 1978, and shall remain available until September 30,
 10 1979.

11 SPECIAL PROJECTS AND TRAINING

12 For carrying out the Special Projects Act (Public
 13 Law 93-380), the General Education Provisions Act, title
 14 V, part A and section 532 ~~(63)~~~~(\$5,000,000)~~ (\$12,500,-
 15 000) of the Higher Education Act of 1965, ~~(64)~~~~\$96,-~~
 16 ~~543,000~~ \$105,841,000.

17 EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN

18 CURRENCY PROGRAM)

19 For payments in foreign currencies which the Treasury
 20 Department determines to be in excess to the normal require-
 21 ments of the United States, for necessary expenses of the
 22 Office of Education, as authorized by law, \$2,000,000, to
 23 remain available until expended: *Provided*, That this appro-
 24 priation shall be available, in addition to other appropriations
 25 to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For carrying out, to the extent not otherwise provided, the General Education Provisions Act, including rental of conference rooms in the District of Columbia, \$125,389,000.

STUDENT LOAN INSURANCE FUND

For necessary expenses under title IV, Part B of the Higher Education Act, as amended, \$255,724,000, to remain available until expended: *Provided*, That the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations, in an amount not to exceed a total of \$25,000,000, without fiscal year limitation, to maintain the adequacy of the fund, but only with respect to payments authorized under section 431.

HIGHER EDUCATION FACILITIES LOAN AND INSURANCE

FUND

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interest or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302 (c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717 (c)), \$1,847,000 to remain available until expended, and the Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan and

1 Insurance Fund, and in accord with law, and to make such
 2 contracts and commitments without regard to fiscal year limi-
 3 tation as provided by section 104 of the Government Corpo-
 4 ration Control Act (31 U.S.C. 849) as may be necessary in
 5 carrying out the program set forth in the budget for the cur-
 6 rent fiscal year for such fund.

7 NATIONAL INSTITUTE OF EDUCATION

8 NATIONAL INSTITUTE OF EDUCATION

9 For carrying out section 405 of the General Education
 10 Provisions Act, including rental of conference rooms in the
 11 District of Columbia, \$89,600,000.

12 OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

13 SALARIES AND EXPENSES

14 For necessary expenses to carry out sections 402, 404
 15 and 406 of the General Education Provisions Act, ~~(65)\$37,-~~
 16 ~~379,000~~ \$34,559,000 of which not to exceed \$1,500 may be
 17 for official reception and representation expenses.

18 SOCIAL AND REHABILITATION SERVICE

19 PUBLIC ASSISTANCE

20 For carrying out, except as otherwise provided, titles I,
 21 IV, X, XI, XIV, XVI, XIX, and XX of the Social Se-
 22 curity Act, and the Act of July 5, 1960 (24 U.S.C., ch. 9)
 23 ~~(66)\$20,600,250,000~~ \$19,602,000,000 of which \$56,500,-
 24 000 shall be for child welfare services under part B of title
 25 IV(67): *Provided, That no payment shall be made from this*

1 *appropriation for expenditures prior to September 30, 1976,*
2 *unless such payment is for an expenditure which, on or before*
3 *September 30, 1977, is duly recorded in the records of the*
4 *single State agency responsible for the administration of the*
5 *State plan and reported to the Secretary.*

6 For making, after June 30 of the current fiscal year,
7 payments to States under titles I, IV, X, XIV, XVI, XIX,
8 and XX, respectively, of the Social Security Act, for the
9 last three months of the current fiscal year (except with
10 respect to activities included in the appropriation for "Work
11 incentives") ; and for making after July 31 of the current
12 fiscal year, payments for the first quarter of the succeeding
13 fiscal year; such sums as may be necessary, the obligations
14 incurred and the expenditures made thereunder for payments
15 under each of such titles to be charged to the subsequent
16 appropriations therefor for the current or succeeding fiscal
17 year. (68)*The funds appropriated for carrying out titles IV,*
18 *XIX, and XX of the Social Security Act for fiscal year 1977*
19 *shall remain available for obligation and expenditure during*
20 *fiscal year 1978.*

21 In the administration of titles I, IV (other than part
22 C thereof), X, XIV, XVI, XIX, and XX, respectively,
23 of the Social Security Act, payments to a State under any
24 such titles for any quarter in the period beginning July 1
25 of the prior year and ending September 30 of the current

1 year may be made with respect to a State plan approved
2 under such title prior to or during such period, but no such
3 payment shall be made with respect to any plan for any
4 quarter prior to the quarter in which a subsequently ap-
5 proved plan was submitted(69); however, nothing herein
6 shall be construed to limit Federal financial participation in
7 court-ordered retroactive payments or in audit exceptions or
8 adjustments to prior year costs: Provided, That the amount in
9 such audits or adjustments does not exceed 5 per centum of
10 the gross amount previously claimed for that period.

11 Such amounts as may be necessary from this appropria-
12 tion shall be available for grants to States for any period in
13 the prior fiscal year subsequent to June 30 of that year.

14 WORK INCENTIVES

15 For carrying out a work incentives program, as au-
16 thorized by part C of title IV of the Social Security Act,
17 including registration of individuals for such program, and
18 for related child care and other supportive services, as au-
19 thorized by section 402(a)(19)(G) of the Act, including
20 transfer to the Secretary of Labor, as authorized by section
21 431 of the Act, \$365,000,000, which shall be the maximum
22 amount available for transfer to the Secretary of Labor and to
23 which the States may become entitled pursuant to section
24 403(d) of such Act, for these purposes.

1 PROGRAM ADMINISTRATION

2 For expenses necessary for the administration of public
3 assistance programs, \$73,000,000.

4 CUBAN REFUGEE ASSISTANCE

5 For expenses necessary to carry out the provisions of
6 the Migration and Refugee Assistance Act of 1962 (Public
7 Law 87-510), relating to aid to Cuban refugees within the
8 United States, including hire of passenger motor vehicles, and
9 services as authorized by 5 U.S.C. 3109, ~~(70)\$67,700,000~~
10 \$76,200,000.

11 SOCIAL SECURITY ADMINISTRATION

12 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

13 For payment to the Federal Old-Age and Survivors
14 Insurance, the Federal Disability Insurance, the Federal
15 Hospital Insurance, and the Federal Supplementary Medi-
16 cal Insurance Trust Funds, as provided under sections
17 217 (g), 228 (g), 229 (b), 231 (c), and 1844 of the Social
18 Security Act, and sections 103 (c) and 111 (d) of the
19 Social Security Amendments of 1965, \$7,955,144,000.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Coal Mine
22 Health and Safety Act of 1969, as amended, including the
23 payment of travel expenses either on an actual cost or
24 commuted basis, to an individual for travel incident to medi-
25 cal examinations, and to parties, their representatives and

1 all reasonably necessary witnesses for travel within the
 2 United States, Puerto Rico, and the Virgin Islands, to re-
 3 consideration interviews and to proceedings before adminis-
 4 trative law judges, \$967,623,000: *Provided*, That after
 5 July 31, such amounts for benefit payments as may be
 6 necessary may be charged to the subsequent year appro-
 7 priation.

8 Whenever the Commissioner of Social Security finds
 9 it will promote the achievement of the provisions of title IV
 10 of the Federal Coal Mine Health and Safety Act of 1969,
 11 as amended, qualified persons may be appointed to conduct
 12 hearings thereunder without meeting the requirements for
 13 administrative law judges appointed under 5 U.S.C. 3105,
 14 but such appointments shall terminate not later than
 15 March 31, 1979: *Provided*, That no person shall hold a hear-
 16 ing in any case with which he has been concerned previously
 17 in the administration of such title.

18 SUPPLEMENTAL SECURITY INCOME PROGRAM

19 For carrying out the Supplemental Security Income
 20 program under title XVI of the Social Security Act, section
 21 401 of Public Law 92-603, and section 212 of Public Law
 22 93-66, including payment to the social security trust funds
 23 for administrative expenses incurred pursuant to section
 24 201 (g) (1) of the Social Security Act, ~~(71)\$5,750,000,000~~
 25 \$5,250,000,000: *Provided*, That for carrying out these activ-

ities after July 31, such sums as may be necessary shall be available, the obligations and expenditures therefor to be charged to the appropriation for the succeeding fiscal year: *Provided further, That (72) any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury funds appropriated for carrying out title XVI of the Social Security Act for fiscal year 1977 shall remain available for obligation and expenditure during fiscal year 1978.*

LIMITATION ON SALARIES AND EXPENSES

For necessary expenses, not more than \$2,685,951,000 may be expended as authorized by section 201 (g) (1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided, That* such amounts as are required shall be available to pay travel expenses either on an actual cost or commuted basis, to an individual for travel incident to medical examinations, and to parties, their representatives and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands to reconsideration interviews and to proceedings before administrative law judges under titles II, XVI, and XVIII of the Social Security Act: *Provided further, That* \$25,000,000 of the foregoing amount shall be apportioned for use pursuant to section 3679 of the Revised Statutes (31 U.S.C.

1 665), only to the extent necessary to process workloads not
 2 anticipated in the budget estimates and to meet mandatory
 3 increases in costs of agencies or organizations with which
 4 agreements have been made to participate in the adminis-
 5 tration of titles XVI and XVIII and section 221 of title II
 6 of the Social Security Act, and after maximum absorption of
 7 such costs within the remainder of the existing limitation
 8 has been achieved.

9 LIMITATION ON CONSTRUCTION

10 For acquisition of sites, construction and equipment of
 11 facilities and for payments of principal, interest, taxes, and
 12 any other obligations under contracts entered into pursuant
 13 to the Public Buildings Purchase Contract Act of 1954 and
 14 the Public Buildings Amendments of 1972, \$14,600,000, to
 15 be expended as authorized by section 201(g) (1) of the
 16 Social Security Act, from any one or all of the trust funds
 17 referred to therein, and to remain available until expended.

18 SPECIAL INSTITUTIONS

19 AMERICAN PRINTING HOUSE FOR THE BLIND

20 For carrying out the Act of March 3, 1879, as amended
 21 (20 U.S.C. 101-105), \$3,498,000.

22 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

23 For carrying out the National Technical Institute for
 24 the Deaf Act (20 U.S.C. 681, et seq.), \$14,630,000.

GALLAUDET COLLEGE

1

2 For carrying out the Model Secondary School for the
 3 Deaf Act (80 Stat. 1027) and for the partial support of
 4 Gallaudet College authorized by the Act of June 18, 1954
 5 (68 Stat. 265), \$45,976,000 of which \$16,216,000 shall be
 6 for construction and shall remain available until expended:
 7 *Provided*, That if requested by the college, such construction
 8 shall be supervised by the General Services Administration.

9

HOWARD UNIVERSITY

10 For the partial support of Howard University, \$99,118,-
 11 000 of which \$3,925,000 shall be for construction and shall
 12 remain available until expended: *Provided*, That if requested
 13 by the University, such construction shall be supervised by
 14 the General Services Administration.

15 ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT

16

HUMAN DEVELOPMENT

17 For carrying out, except as otherwise provided, section
 18 426 of the Social Security Act, the Act of April 9, 1912
 19 (42 U.S.C. 191), the Older Americans Act of 1965, as
 20 amended, the Child Abuse Prevention and Treatment Act,
 21 the Runaway Youth Act, the Community Services Act of
 22 1974, sections 106, 107 and 306 of the Comprehensive Em-
 23 ployment and Training Act of 1973, the Rehabilitation Act
 24 of 1973, as amended, the International Health Research Act
 25 of 1960, and the Developmental Disabilities Services and
 26 Facilities Construction Act, as amended, (73)\$2,155,978,050

1 \$2,221,678,000, of which (74)~~\$760,472,050~~ \$760,000,000
 2 shall be for activities under section 100 (b) (1) of the
 3 Rehabilitation Act of 1973; (75)~~\$472,000~~ shall be for sec-
 4 tion 110(b) of such Act; (76)~~\$3,000,000~~, to remain avail-
 5 able until expended, shall be for a White House Conference
 6 on Families; and \$30,058,000 shall be for grants under part
 7 C of the Developmental Disabilities Services and Facilities
 8 Construction Act, as amended, together with not to exceed
 9 \$600,000 to be transferred and expended as authorized by
 10 section 201 (g) (1) of the Social Security Act from any
 11 one or all of the trust funds referred to therein.

12 DEPARTMENTAL MANAGEMENT

13 OFFICE FOR CIVIL RIGHTS

14 For expenses necessary for the Office for Civil Rights
 15 \$33,307,000, together with not to exceed \$514,000, to be
 16 transferred and expended as authorized by section 201
 17 (g) (1) of the Social Security Act from any one or all of the
 18 trust funds referred to therein.

19 OFFICE OF INSPECTOR GENERAL

20 For expenses necessary for the Office of the Inspector
 21 General \$25,343,000, together with not to exceed \$4,290.-
 22 000, to be transferred and expended as authorized by sec-
 23 tion 201 (g) (1) of the Social Security Act from any one
 24 or all of the trust funds referred to therein.

1 GENERAL DEPARTMENTAL MANAGEMENT

2 For expenses not otherwise provided, necessary for
3 general departmental management, including hire of six
4 medium sedans, \$81,877,000, together with not to exceed
5 \$9,579,000, to be transferred and expended as authorized by
6 section 201 (g) (1) of the Social Security Act from any one
7 or all of the trust funds referred to therein.

8 POLICY RESEARCH

9 For carrying out, to the extent not otherwise provided,
10 research studies under section 232 of the Community Serv-
11 ices Act of 1974 and section 1110 of the Social Security Act,
12 ~~(77)\$40,000,000~~ \$22,400,000.

13 GENERAL PROVISIONS

14 SEC. 201. None of the funds appropriated by this title
15 to the Social and Rehabilitation Service for grants-in-aid
16 of State agencies to cover, in whole or in part, the cost of
17 operation of said agencies, including the salaries and ex-
18 penses of officers and employees of said agencies, shall be
19 withheld from the said agencies of any States which have
20 established by legislative enactment and have in operation
21 a merit system and classification and compensation plan
22 covering the selection, tenure in office, and compensation
23 of their employees, because of any disapproval of their
24 personnel or the manner of their selection by the agencies

1 of the said States, or the rates of pay of said officers or
2 employees.

3 SEC. 202. Funds appropriated in this Act to the Amer-
4 ican Printing House for the Blind, Howard University,
5 the National Technical Institute for the Deaf, and Gallaudet
6 College shall be awarded to these institutions in the form
7 of lump-sum grants and expenditures made therefrom shall
8 be subject to audit by the Secretary of Health, Education,
9 and Welfare.

10 SEC. 203. None of the funds provided herein shall be
11 used to pay any recipient of a grant for the conduct of a
12 research project an amount equal to as much as the entire
13 cost of such project.

14 SEC. 204. None of the funds contained in this title shall
15 be available for additional permanent positions in the Wash-
16 ington area if the total authorized positions in the Washing-
17 ton area is allowed to exceed the proportion existing at the
18 close of fiscal year 1966.

19 SEC. 205. Appropriations in this Act for the Health
20 Services Administration, the National Institutes of Health,
21 the Center for Disease Control, the Alcohol, Drug Abuse,
22 and Mental Health Administration, the Health Resources
23 Administration and Departmental Management shall be
24 available for expenses for active commissioned officers in the

1 Public Health Service Reserve Corps and for not to exceed
2 two thousand eight hundred commissioned officers in the
3 Regular Corps; expenses incident to the dissemination of
4 health information in foreign countries through exhibits and
5 other appropriate means; advances of funds for compensa-
6 tion, travel, and subsistence expenses (or per diem in lieu
7 thereof) for persons coming from abroad to participate in
8 health or scientific activities of the Department pursuant to
9 law; expenses of primary and secondary schooling of de-
10 pendants in foreign countries, of Public Health Service com-
11 missioned officers stationed in foreign countries, at costs for
12 any given area not in excess of those of the Department of
13 Defense for the same area, when it is determined by the Sec-
14 retary that the schools available in the locality are unable to
15 provide adequately for the education of such dependents,
16 and for the transportation of such dependents between such
17 schools and their places of residence when the schools are
18 not accessible to such dependents by regular means of trans-
19 portation; rental or lease of living quarters (for periods not
20 exceeding 5 years), and provision of heat, fuel, and light,
21 and maintenance, improvement, and repair of such quarters,
22 and advance payments therefor, for civilian officers, and em-
23 ployees of the Public Health Service who are United States
24 citizens and who have a permanent station in a foreign coun-
25 try; purchase, erection, and maintenance of temporary or

1 portable structures; and for the payment of compensation to
2 consultants or individual scientists appointed for limited pe-
3 riods of time pursuant to section 207 (f) or section 207 (g)
4 of the Public Health Service Act, at rates established by the
5 Assistant Secretary for Health, or the Secretary where such
6 action is required by statute, not to exceed the per diem rate
7 equivalent to the rate for GS-18; not to exceed \$9,500 for
8 official reception and representation expenses related to any
9 health agency of the Department when specifically approved
10 by the Assistant Secretary for Health.

11 SEC. 206. No part of the funds contained in this title
12 may be used to force any school or school district which
13 is desegregated as that term is defined in title IV of the
14 Civil Rights Act of 1964, Public Law 88-352, to take any
15 action to force the busing of students; to force on account
16 of race, creed, or color the abolishment of any school so
17 desegregated; or to force the transfer or assignment of any
18 student attending any elementary or secondary school so
19 desegregated to or from a particular school over the protest
20 of his or her parents or parent.

21 SEC. 207. (a) No part of the funds contained in this
22 title shall be used to force any school or school district which
23 is desegregated as that term is defined in title IV of the Civil
24 Rights Act of 1964, Public Law 88-352, to take any action
25 to force the busing of students; to require the abolishment of

1 any school so desegregated; or to force on account of race,
 2 creed, or color the transfer of students to or from a par-
 3 ticular school so desegregated as a condition precedent to
 4 obtaining Federal funds otherwise available to any State,
 5 school district or school.

6 (b) No funds appropriated in this Act may be used for
 7 the transportation of students or teachers (or for the purchase
 8 of equipment for such transportation) in order to overcome
 9 racial imbalance in any school or school system, or for the
 10 transportation of students or teachers (or for the purchase of
 11 equipment for such transportation) in order to carry out a
 12 plan of racial desegregation of any school or school system.

13 SEC. 208. ~~(78)(a)~~ None of the funds contained in this
 14 Act shall be used to require, directly or indirectly, the trans-
 15 portation of any student to a school other than the school
 16 which is nearest the student's home, ~~(79)and which offers~~
 17 ~~the courses of study pursued by such student, except for a~~
 18 ~~student requiring special education, to the school offering such~~
 19 ~~special education, in order to comply with title VI of the~~
 20 Civil Rights Act of 1964. ~~(80)~~For the purpose of this section
 21 an indirect requirement of transportation of students includes
 22 the transportation of students to carry out a plan involving
 23 the reorganization of the grade structure of schools, the pair-
 24 ing of schools, or the clustering of schools, or any combination
 25 of grade restructuring, pairing, or clustering. The prohibition

1 *described in this section does not include the establishment*
 2 *of magnet schools.*

3 ~~(81)(b)~~ None of the funds contained in this Act shall be
 4 used to require, directly or indirectly, the transportation of
 5 any student to a school other than the school which, prior to
 6 any action after September 30, 1976 involving the merging,
 7 clustering, or pairing of said school with any other school,
 8 was nearest the student's home, and which offers the courses
 9 of study pursued by such student in order to comply with
 10 title VI of the Civil Rights Act of 1964.

11 ~~(82)SEC. 209.~~ None of the funds appropriated under this Act
 12 shall be used to pay for abortions or to promote or encourage
 13 abortions.

14 *SEC. 209. None of the funds in this Act shall be used to*
 15 *perform abortions except where the life of the mother would*
 16 *be endangered if the fetus were carried to term, or where*
 17 *medically necessary, or for the treatment of rape or incest*
 18 *victims. This section does not prohibit the use of drugs or*
 19 *devices to prevent implantation of the fertilized ovum.*

20 SEC. 210. Funds advanced to the National Institutes of
 21 Health Management Fund from appropriations in this Act
 22 shall be available for the expenses of sharing medical care
 23 facilities and resources pursuant to section 328 of the Public
 24 Health Service Act ~~(83)~~, including purchase of not to
 25 exceed 13 passenger motor vehicles for replacement only.

1 (84)SEC. 211. None of the funds appropriated or otherwise
 2 made available in this title shall be obligated or expended for
 3 the Elementary and Secondary School Civil Rights Survey:
 4 School Year 1977-78 in the case of any school district which
 5 has completed the Elementary and Secondary School Civil
 6 Rights Survey: School Year 1976-77: Provided, however,
 7 That whenever the Secretary has reason to believe that there
 8 may be a violation of the civil rights laws in a particular
 9 school system and so certifies, he may take an appropriate
 10 survey in respect to that particular school system.

11 (85)SEC. 211. None of the funds appropriated in this Act
 12 may be obligated or expended in connection with the issu-
 13 ance, implementation, or enforcement of any rule, regulation,
 14 standard, guideline, recommendation, or order issued by the
 15 Secretary of Health, Education, and Welfare which for pur-
 16 poses of compliance with any ratio, quota, or other numerical
 17 requirement related to race, creed, color, national origin, or
 18 sex requires any individual or entity to take any action with
 19 respect to (1) the hiring or promotion policies or practices
 20 of such individual or entity, or (2) the admissions policies
 21 or practices of such individual or entity.

22 (86)This title may be cited as the "Department of Health,
 23 Education, and Welfare Appropriation Act, 1978".

1 TITLE III—RELATED AGENCIES

2 ACTION

3 OPERATING EXPENSES, DOMESTIC PROGRAMS

4 For expenses necessary for Action to carry out the
 5 provisions of the Domestic Volunteer Service Act of 1973,
 6 as amended, ~~(87)\$117,260,000~~ \$118,660,000, of which
 7 \$1,400,000 (or such other sum as may be certified by the
 8 Director of the Agency as necessary to carry out section 5 of
 9 Public Law 94-130) shall be used for carrying out section 5
 10 of Public Law 94-130.

11 COMMUNITY SERVICES ADMINISTRATION

12 COMMUNITY SERVICES PROGRAM

13 For expenses of the Community Services Administra-
 14 tion, ~~(88)\$567,853,000~~ \$607,353,000.

15 CORPORATION FOR PUBLIC BROADCASTING

16 PUBLIC BROADCASTING FUND

17 For payment to the Corporation for Public Broadcast-
 18 ing, as authorized by the Public Broadcasting Financing
 19 Act of 1975, an amount which shall be available within
 20 limitations specified by said Act, for the fiscal year 1980,
 21 ~~(89)\$145,000,000~~ \$155,000,000: *Provided*, That no funds
 22 made available to the Corporation for Public Broadcasting by
 23 this Act shall be used to pay for receptions, parties and sim-

1 ilar forms of entertainment for government officials or em-
2 ployees: *Provided further*, That none of the funds contained
3 in this paragraph shall be available or used to aid or support
4 any program or activity excluding from participation in,
5 denying the benefits of, or discriminating against any per-
6 son on the basis of race, color, national origin, religion, or sex.

7 FEDERAL MEDIATION AND CONCILIATION SERVICE

8 SALARIES AND EXPENSES

9 For expenses necessary for the Federal Mediation and
10 Conciliation Service to carry out the functions vested in it by
11 the Labor Management Relations Act, 1947 (29 U.S.C.
12 171-180, 182), including expenses of the Labor-Manage-
13 ment Panel and boards of inquiry appointed by the Presi-
14 dent; hire of passenger motor vehicles; and rental of confer-
15 ence rooms in the District of Columbia; and for expenses
16 necessary pursuant to Public Law 93-360 for mandatory
17 mediation in health care industry negotiation disputes, and
18 for convening factfinding boards of inquiry appointed by the
19 Director in the health care industry, \$21,932,000.

20 NATIONAL COMMISSION ON LIBRARIES AND

21 INFORMATION SCIENCE

22 SALARIES AND EXPENSES

23 For necessary expenses of the National Commission
24 on Libraries and Information Science, established by the
25 Act of July 20, 1970 (Public Law 91-345), \$563,000.

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Relations
4 Board to carry out the functions vested in it by the Labor-
5 Management Relations Act, 1947, as amended (29 U.S.C.
6 141-167), and other laws, \$88,520,000: *Provided*, That
7 no part of this appropriation shall be available to organize
8 or assist in organizing agricultural laborers or used in con-
9 nection with investigations, hearings, directives, or orders
10 concerning bargaining units composed of agricultural labor-
11 ers as referred to in section 2 (3) of the Act of July 5,
12 1935 (29 U.S.C. 152), and as amended by the Labor-
13 Management Relations Act, 1947, as amended, and as de-
14 fined in section 3 (f) of the Act of June 25, 1938 (29
15 U.S.C. 203), and including in said definition employees
16 engaged in the maintenance and operation of ditches, canals,
17 reservoirs, and waterways when maintained or operated on
18 a mutual, nonprofit basis and at least 95 per centum of the
19 water stored or supplied thereby is used for farming purposes.

20 NATIONAL MEDIATION BOARD

21 SALARIES AND EXPENSES

22 For expenses necessary for carrying out the provisions
23 of the Railway Labor Act, as amended (45 U.S.C. 151-
24 188), including emergency boards appointed by the Presi-
25 dent, \$3,703,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety and
5 Health Review Commission, \$7,150,000.

6 RAILROAD RETIREMENT BOARD

7 PAYMENTS TO RAILROAD RETIREMENT TRUST FUND

8 For payment to the Railroad Retirement Account, as
9 provided under sections 15 (b) and 15 (d) of the Railroad
10 Retirement Act of 1974, \$250,000,000.

11 REGIONAL RAIL TRANSPORTATION PROTECTIVE ACCOUNT

12 For payment of benefits under section 509 of the
13 Regional Rail Reorganization Act of 1973, to remain avail-
14 able until expended, including not to exceed \$100,000 for
15 payment to the Railroad Retirement Board for administra-
16 tive expenses, \$50,000,000.

17 LIMITATION ON SALARIES AND EXPENSES

18 For expenses necessary for the Railroad Retirement
19 Board, \$33,282,000, to be derived from the railroad retire-
20 ment accounts: *Provided*, That \$500,000 of the foregoing
21 amount shall be apportioned for use pursuant to section 3679
22 of the Revised Statutes, as amended (31 U.S.C. 665), only
23 to the extent necessary to process workloads not anticipated
24 in the budget estimates and after maximum absorption of the
25 costs of such workloads within the remainder of the fore-

1 going limitation has been achieved: *Provided further*, That
2 notwithstanding any other provision in law, no portion of
3 this limitation shall be available for payments of standard
4 level user charges pursuant to section 210 (j) of the Federal
5 Property and Administrative Services Act of 1949, as
6 amended (40 U.S.C. 490 (j) ; 45 U.S.C. 228a-r).

7 SOLDIERS' AND AIRMEN'S HOME

8 OPERATION AND MAINTENANCE

9 For maintenance and operation of the United States
10 Soldiers' and Airmen's Home, to be paid from the Soldiers'
11 and Airmen's Home permanent fund, \$16,356,000: *Pro-*
12 *vided*, That this appropriation shall not be available for the
13 payment of hospitalization of members of the Home in
14 United States Army hospitals at rates in excess of those
15 prescribed by the Secretary of the Army upon recommen-
16 dation of the Board of Commissioners of the Home and the
17 Surgeon General of the Army.

18 TITLE IV—GENERAL PROVISIONS

19 SEC. 401. Appropriations contained in this Act, avail-
20 able for salaries and expenses, shall be available for services
21 as authorized by 5 U.S.C. 3109 but at rates for individuals
22 not to exceed the per diem rate equivalent to the rate for
23 GS-18.

24 SEC. 402. Appropriations contained in this Act available
25 for salaries and expenses shall be available for uniforms or

1 allowances therefor as authorized by law (5 U.S.C. 5901-
2 5902).

3 SEC. 403. Appropriations contained in this Act available
4 for salaries and expenses shall be available for expenses of
5 attendance at meetings which are concerned with the func-
6 tions or activities for which the appropriation is made or
7 which will contribute to improved conduct, supervision, or
8 management of those functions or activities.

9 SEC. 404. No part of the funds appropriated under this
10 Act shall be used to provide a loan, guarantee of a loan, a
11 grant, the salary of or any remuneration whatever to any
12 individual applying for admission, attending, employed by,
13 teaching at, or doing research at an institution of higher
14 education who has engaged in conduct on or after August 1,
15 1969, which involves the use of (or the assistance to others
16 in the use of) force or the threat of force or the seizure of
17 property under the control of an institution of higher edu-
18 cation, to require or prevent the availability of certain
19 curricula, or to prevent the faculty, administrative officials,
20 or students in such institution from engaging in their duties
21 or pursuing their studies at such institution.

22 SEC. 405. The Secretary of Labor and the Secretary of
23 Health, Education, and Welfare are authorized to transfer
24 unexpended balances of prior appropriations to accounts cor-
25 responding to current appropriations provided in this Act:

1 *Provided*, That such transferred balances are used for the
2 same purpose, and for the same periods of time, for which
3 they were originally appropriated.

4 SEC. 406. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 407. No part of any appropriation contained in
8 this Act shall be used, other than for normal and rec-
9 ognized executive-legislative relationships, for publicity or
10 propaganda purposes, for the preparation, distribution, or
11 use of any kit, pamphlet, booklet, publication, radio, tele-
12 vision or film presentation designed to support or defeat
13 legislation pending before the Congress, except in presenta-
14 tion to the Congress itself.

15 SEC. 408. The Secretary of Labor and the Secretary
16 of Health, Education, and Welfare are each authorized to
17 make available not to exceed \$7,500 from funds available
18 for salaries and expenses under titles I and II, respec-
19 tively, for official reception and representation expenses;
20 the Director of the Federal Mediation and Conciliation
21 Service is authorized to make available for official recep-
22 tion and representation expenses not to exceed \$2,500 from
23 funds available for "Salaries and expenses, Federal Media-
24 tion and Conciliation Service".

25 SEC. 409. None of the funds appropriated by this Act

1 shall be used to pay for any research program or project
2 or any program, project, or course which is of an experi-
3 mental nature, or any other activity involving human par-
4 ticipants, which is determined by the Secretary or a court
5 of competent jurisdiction to present a danger to the physical,
6 mental, or emotional well-being of a participant or subject
7 of such program, project, or course, without the written,
8 informed consent of each participant or subject, or his par-
9 ents or legal guardian, if such participant or subject is under
10 eighteen years of age. The Secretary shall adopt appro-
11 priate regulations respecting this section.

12 This Act may be cited as the "Departments of Labor
13 and Health, Education, and Welfare Appropriation Act,
14 1978".

Passed the House of Representatives June 17, 1977.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

Passed the Senate with amendments June 29 (legis-
lative day, May 18), 1977.

Attest: J. S. KIMMITT,
Secretary.



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95TH CONGRESS
1ST SESSION

H. R. 7555

AN ACT

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1978, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1977

Ordered to be printed with the amendments of the
Senate numbered

James S. [unclear]
J. 345